

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
MEDFORD DIVISION

**MEDFORD SCHOOL DISTRICT,**

Civ. No. 1:22-cv-01366-AA

Plaintiff,

**OPINION AND ORDER**

v.

**STUDENT,**

Defendant.

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AIKEN, District Judge:

Before the Court is Plaintiff Medford School District's motion to consolidate and reassign the above-captioned matter to a single judicial officer, Magistrate Judge Mark D. Clarke, who, before the filing of the instant case, was assigned to hear a related fee petition case in *Student v. Medford School District*, Civil No. 1:22-cv-1262-CL, stemming from the same administrative Amended Final Order that is the subject of Plaintiff's appeal here. Student objects to consolidation.

Rule 42(a) of the Federal Rules of Civil Procedure gives the Court broad powers to consolidate actions involving common questions of law or fact. Fed.R.Civ.P. 42(a). In determining whether to consolidate, the Court balances the savings of time and effort gained through consolidation against the inconvenience, delay, or expense that

it might cause. Charles Alan Wright & Arthur R. Miller, Federal Practice and Procedure § 2383, at 438-39 (2d ed. 1995). The Court has fully considered the arguments in the parties briefing, ECF Nos. 10, 11, 13, 15. Finding no savings of time and effort to be gained by consolidation on one hand, and no delay, expense, or inconvenience on the other, the Court declines to exercise its discretion to consolidate this case with the fee petition referenced above. That Student does not consent to hearing by a Magistrate Judge also factors into the Court's consideration. Plaintiff's Motion to consolidate and reassign the case, ECF No. 10, is DENIED.

IT IS SO ORDERED.

Dated this 7th day of June 2023.

/s/Ann Aiken

Ann Aiken  
United States District Judge